

MINUTES OF THE PLANNING COMMISSION MEETING OF SEPTEMBER 20, 2006, AT 6:00 P.M. IN THE BUTLER MIDDLE SCHOOL AUDITORIUM.

MEMBERS PRESENT: Jim Keane, Gordon Nicholl, Jerri Harwell, JoAnn Frost, Geoff Armstrong

EXCUSED: Tom Bowen, Doug Haymore, Sue Ryser

STAFF PRESENT: City Manager Liane Stillman, Councilman Don Antczak, Councilman Gordon Thomas, Planning Director Michael Black, Associate Planner Glenn Symes, City Attorney Shane Topham, Planning Intern Bill Cobabe, Planning Coordinator Sherry McConkey

OTHERS PRESENT: Leslie Smith, Debbie Bassett, Tami Anderson, Michael O'Brien, Steve Wriglet, Cyndi Wright, Allan Packer, JoAnn McVinnie, Jonathan McVinnie, Debb Wolthnis, Joyce Felt, Jan Le Cheminant, Debbie Lindquist, Jeff Fox, Brian Godfrey, Baylee Godfrey, Haiden Godfrey, Patricia Schafer-Burris, Rodger Herdd, Dave Gough, Bob Green, John Hills, Lorin Pouse, Royal Loosle, Spencer Hill, Mark Johnson, Craig Donker, Birgid Park, Craig Thoeson, Julie Johnson, Melissa Christensen, Tami Hawkins, Nadine Frandsen, Shawn Frandsen, John Lyman, Florence Lyman, Chris Drent, Lowell Fallachet, Thomas Higman, LaVell Johnson, Carol Johnson, Carol Ann Peres, Dawnie McPhenor, Jesse McPhenor, Jenene Nelson, Cari Nelson, Paula Rutter, Elke Kirsten-Brauer, Chris Kesler, Paul Jensen, Mike Seely, Mike Gray, Stan Heffner, Claudia Moore, Thomas Folker, JoAnn Folker, Dr. Bruce Haggart, Diane Haggart, Susan Lemon, Susan Johnston, R. Robison, Mary Ramsey, Del Romero, Pam Romero, Cathy Robinson, Joanne Benfatti, Amelia Nielson-Stowell, Land Brown, Pam Brown, Rey Gonzalez, Rachel Gonzalez, Brent Walker

Chair Nicholl called the meeting to order.

**1.0 PUBLIC COMMENT**

1.1 No public comment was given.

**2.0 PUBLIC HEARING – AMENDED CONDITIONAL USE –SOUTHEAST BAPTIST CHURCH**

2.1 Mr. Symes explained this is a request for an amendment to a conditional use for the Southeast Baptist Church located at 1720 East Fort Union Blvd. The applicant would like to replace the western portion of the building with a larger gymnasium and additional classrooms. The property is located in the R-1-8 zone and is also located in the City's Gateway Overlay zone which requires a review by the "ARC" (Architectural Review Committee). The "ARC" has completed their review and has made some recommendation which have been included in the staff report dated September 20, 2006. The applicant has complied with all requirements of the R-1-8 zone; staff is recommending approval of the amended conditional use with the conditions outlined in the September 20, 2006 staff report.

- 2.2 Pastor Mike Gray explained that the proposed remodel would allow for a full size gymnasium and additional classrooms.
- 2.3 Chair Nicholl opened the public hearing.
- 2.4 No public comment was given.
- 2.5 Chair Nicholl closed the public hearing.
- 2.6 Mr. Armstrong asked if parking would be affected by the change.

Pastor Gray stated that parking would not be affected.

- 2.7 **MOTION:** Ms. Frost moved to approve the amended conditional use based in the recommendations listed in the staff report dated September 20, 2006. The motion was seconded by Mr. Armstrong and passed 4-2 with Ms. Rosevear and Ms. Harwell voting against.

### 3.0 PUBLIC HEARING – ZONE CHANGE – ARBOR DEVELOPERS

- 3.1 Chair Nicholl explained that the Planning Commission would not make a decision at this meeting regarding the zone change to allow time for the public to give input. A recommendation will be discussed at a combination meeting on October 4, 2006 at the City offices located at 1265 E. Fort Union Blvd., Suite 250 in the City Council Chambers.
- 3.2 Mr. Black explained that Arbor Developers has applied for a zone change from RR-1-43 to RR-1-21 for 19.57 acres of property located at 7800 S. Siesta Drive and the request is consistent with the General Plan designation for the property.
- 3.3 Chair Nicholl opened the public hearing.
- 3.4 John Gust, Arbor Developers stated that he realizes the impact the sale of the land has had on the community and reiterated that the zone change is consistent with the general plan. Mr. Gust made himself available for questions.
- 3.5 Susan Johnston, President of the Meadows Association, explained that the residents are not opposed to the development and that they need help from the developer and surrounding community. Ms. Johnston explained that the residents are in need of assistance and would like to slow this process down. The residents would like to receive in writing from the developer a relocation plan, moratorium on rent and refund of monies paid since September 1, 2006, all deposits be returned to the residents, and the date for vacating to be changed to June 1, 2007.
- 3.6 Joyce Felt would like to see the zoning kept at 1 acre lots to keep the openness of the community and to sustain property values.

- 3.7 Leslie Smith is concerned that the residents do not have enough time or money to relocate and feels the developer and others should help more.
- 3.8 Thomas Folker has relocated from the Meadows and wanted the Planning Commission to delay rezoning the property until the residents of the Meadows have a place to go and the financial means to relocate.
- 3.9 Diane Haggart has been displaced several times and spoke of the hardship that it places on the residents.
- 3.10 Dr. Bruce Taggart presented a proposal that would use future property taxes to absorb the cost incurred with moving the residents of the Meadows.
- 3.11 JoAnn McPhenie explained that her mobile home is too old to move and due to disability has no ability to purchase another home. She would like to receive assistance to allow her the ability to move and own another home.
- 3.12 Mark Johnson stated that he has had several discussions with John Gust and believes he is doing a good job. The problem he discussed is that a PUD (Planned Unit Development) is the plan that Arbor has for the property. Mr. Johnson discussed the effects a PUD could have on property values, lot size, and traffic that he feels would increase based on the amount of homes.
- 3.13 Brian Godfrey stated that most of the people in this park are disabled, elderly and have limited incomes. Mr. Godfrey would like to see additional time and money to help the residents to relocate.
- 3.14 Patricia Schafer-Burris stated that she is disabled and moved in to the Meadows less than a year ago and had no idea that the park would be sold. Ms. Schafer spoke of the need for additional time, financial assistance and the burden that has been placed on the residents.
- 3.15 Paula Rudder has lived in the area for 25 years and would like to see the open space of the area preserved. Ms. Rudder would like the zoning to stay the same as it is now and not allow smaller lots.
- 3.16 Elke Kirsten-Brauer would like to keep the openness of the area and asked to keep current zoning.
- 3.17 Lowell Gallagher, Utah Mobile Home Owners Action Committee, would like to have a six month moratorium on the decision of the zone change and asked if there is a plan in place to help the residents of the Meadows.
- 3.18 Alan Packer asked the Planning Commission to consider three items;
  - 1. Keep the current one acre minimum with one house limit.
  - 2. Would like to see the existing roads improved.
  - 3. Conditions to be put in place to maintain the openness of the area.

- 3.19 Ross Robinson expressed his concern of the residents and if the development of the property could be done in phases which would allow the residents more time to move.
- 3.20 Melissa Christensen has lived in the area for three years, would like the property to remain large lots, and believes the reduction of lot size would decrease the property values. Ms. Christensen expressed concern of increase in traffic and the safety of the children that need to cross Creek Road.
- 3.21 John Gust stated that Arbor Developers is aware of the concern and wanted to reassure the public that openness, quality of work and lot size will be consistent with the surrounding area.
- 3.22 Chair Nicholl closed the public hearing and stated written comments will be accepted at the city offices until October 4, 2006 by 7:00 p.m.
- 3.23 Mr. Black stated that the next Planning Commission meeting will be held on October 4, 2006 and is open to the public however; no public comments will be accepted on this issue, unless the Planning Commission requests comments.

#### **PLANNING DIRECTOR REPORT**

- 4.1 Mr. Black proposed having a joint work session with the City Council to receive an update on projects involving the city.

The meeting is set for October 4, 2006 and will begin at 6:00 p.m.

- 4.2 Mr. Black asked the Planning Commission members to review the proposed PUD (Planned Unit Development) ordinance amendment and send feedback via e-mail as to proposed changes. A draft of this ordinance with the proposed changes should be available at the October 4, 2006 meeting.

- 5.0 **MOTION:** Ms. Frost moved to adjourn the meeting. The motion was seconded by Mr. Keane and passed unanimously on voice vote.

Meeting adjourned at 8:22 pm

Approved: 10-04-2006 sm